

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1140**

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S. P. 384

In Senate, March 2, 1971

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Bernard of Androscoggin.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT** Relating to Compensation of Municipalities for the Loss of  
Services of Municipal Law Enforcement Officials.

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 4, § 173, sub-§ 4, amended.** The last sentence of the 4th paragraph of subsection 4 of section 173 of Title 4 of the Revised Statutes, as enacted by chapter 244 of the public laws of 1967, and as amended by section 2 of chapter 521 of the public laws of 1967, is repealed as follows:

~~The Treasurer of State shall pay the municipality a flat fee of \$20 each day the latter's police officers or constables are required to attend the District Court~~

**Sec. 2. R. S., T. 4, § 173, sub-§ 4, amended.** Subsection 4 of section 173 of Title 4 of the Revised Statutes, as amended, is further amended by adding a new paragraph at the end to read as follows:

The Treasurer of State shall pay any municipality a flat fee of \$20 for each day or part thereof that a municipal law enforcement officer, designated by the municipality as its court officer, is required to be physically present in a District Court House in order to adequately handle such municipality's case load. In addition, the Treasurer of State shall pay any municipality a flat fee of \$20 per day for every day or part thereof, but no more than \$20 for any one day, such municipality loses the services of one or more law enforcement officers because such officer or officers are performing some act authorized or required by a District Court Rule of Criminal Procedure or is a witness in a criminal case within the jurisdiction of the District Court. A municipality shall be deemed to have lost the services of a law enforcement officer when

such officer, who normally performs duties of patrolling or maintaining order, is physically unable to perform those duties of patrolling and maintaining order for such municipality.

#### STATEMENT OF FACT

The purpose of this bill is reflected in the title.